

**STATE OF GEORGIA
RECORDS SERIES PROFILE
RECORDS RETENTION SCHEDULE
APPLICATION # 920304-01**

Sheet 1 of 2

SCHEDULE #: 92-0003

EFFECTIVE DATE: 12/30/92

Agency Code: 0442
Agency: Law Department
Creating Office: All Divisions

Series
Title/Dates: "Litigation [Case Files] of Historical Importance," ca. 1965
and continuing.

Access: Confidential (O.C.G.A. 50-18-98, 24-9-21, 24-9-24)

Class: Individual

Related to: The Law Department's representation of the state and its officers and employees in all federal and state courts in civil and criminal matters. The case files selected for inclusion in this records series are those determined to have continuing value not only as research material for other current and future cases, but as historical data. Division directors select, based on the eight factors below, cases from their division that document "litigation of historical importance." The Attorney General, or his appointed designee, makes the final determination on which cases to include in the series.

Factors considered in selecting "litigation of historical importance:"

1. Any case which was heard by the U.S. Supreme Court, any case before the Georgia Supreme Court, or Georgia Court of Appeals or a federal court which (a) declared a state law to be unconstitutional, or (b) concerned the powers of the Governor, the Supreme Court, the General Assembly or State Government.
2. Any capital felony case in which the defendant was executed.
3. Any criminal case in which a state elected official or an appointed official who is the chief administrative officer of a state department is charged and in which the charge is related to official conduct.
4. Any case which had an impact on conditions in society or which captured the attention of the public and was widely reported throughout the entire course of the case in the news media.
5. Any case in which the state brought suit against individuals or corporations in which the state sought damages, fines, or recovery exceeding \$10,000,000.00.
6. Any case the results of which caused a significant changes in state law.

continued on sheet 2 of 2

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7. Any litigation involving State tax revenues in excess of \$500,000.
8. Class action and/or prison condition cases with court orders requiring compliance for an indefinite or lengthy period of time.

Included in the "Litigation [Case Files] of Historical Importance" are correspondence, pleadings, research, evidence, exhibits, transcripts of hearings and depositions, and other records relating to the case.

Case files not designated "Litigation of historical importance" are maintained in accordance with the retention schedules approved for the case files of each division.

Arrangement: By case file; case files are arranged as listed on the inventory.

Retention Requirement: Continuing retention for historical and legal purposes.

Media: Paper

Disposition

Instructions: Cut off when case is concluded;
Hold in current files area (1) year;
Transfer to State Archives for continuing retention.

This records retention plan gives the State Records Committee approved retention instructions for the named records series by the named creating office.



Edward Weldon
Secretary of State Designee


Date